

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 2:22-cv-08230-HDV(Ex)

Date: May 24, 2024

Title Blaine Harrington, III v. Deepak Dugar

Present: The Honorable: Hernán D. Vera, United States District Judge

<u>Wendy Hernandez</u>	<u>None.</u>
Deputy Clerk	Court Reporter / Recorder

Attorneys Present for Plaintiffs:  
None.

Attorneys Present for Defendants:  
None.

**Proceedings: ORDER RE: PLAINTIFF'S MOTION TO STRIKE CERTAIN OF DEFENDANT'S TRIAL EXHIBITS [DKT NO. 174]**

Plaintiff moves to strike certain of Defendant's amended trial exhibits.<sup>1</sup> Motion to Strike Exhibits [Dkt. No. 174]; *see also* Defendant's Opposition [Dkt. No. 177]. Plaintiff seeks to exclude fifteen exhibits that Defendant identified on its trial exhibit list, even after they were ordered excluded based on the Court's Order Re: Motions in Limine [Dkt. No. 168].

The Court's Order Re: Motions in Limine specifically identified many exhibits that evidenced Mr. Harrington's settlement demands and other legal actions. This evidence included the following fifteen exhibits: D-2, D-3, D-25, D-37, D-46, D-48, D-104, D-112, D-113, D-116, D-117, D-118, D-119, D-120, and D-121.

The Court has reviewed all of the disputed exhibits from this list and finds that virtually all of them fall under the Court's previous order excluding prior settlement demands and litigation. For this reason, the following exhibits are excluded: D-2, D-3, D-25, D-37, D-48, D-104, D-112, D-113, D-116, D-117, and D-118.

However, several exhibits fall *outside* this framework. D-46 is a prior sworn declaration from Plaintiff, and is admissible to show inconsistent statements. D-119, D-120, and D-121 reflect prior licensing agreements, and are therefore admissible on the issue of damages.

**IT IS SO ORDERED.**

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<sup>1</sup> The Court treats the Motion as an ex parte application to exclude certain trial exhibits. *See generally Mission Power Eng'g Co. v. Cont'l Cas. Co.*, 883 F. Supp. 488 (C.D. Cal. 1995).